

From: Andrea P Roberts
Sent: Thursday, July 20, 2017 12:29 PM
To: Chang, Esther Kim <echang@mofo.com>; Edward Takashima <etakashima@BSFLLP.com>; QE-Waymo <qewaymo@quinnmanuel.com>
Cc: UberWaymoMoFoAttorneys <UberWaymoMoFoAttorneys@mofo.com>; BSF_EXTERNAL_UberWaymoLit <BSF_EXTERNAL_UberWaymoLit@BSFLLP.com>; 'DG-GP Otto Trucking Waymo' <DG-GPOttoTruckingWaymo@goodwinlaw.com>; 'John Cooper (JCooper@fbm.com)' <JCooper@fbm.com>; 'Matthew Cate (MCate@fbm.com)' <MCate@fbm.com>
Subject: RE: Waymo: Deposition Scheduling

Esther,

It was our impression that Defendants were already ready to serve their 30(b)(6) notice on Waymo when they proposed a mutual exchange the day after making the proposal. In any event, we don't think that the parties need to serve 30(b)(6) notices on the same date. Accordingly, attached are Waymo's 30(b)(6) notices to Uber and to Otto Trucking. When we met and conferred last week, we discussed having Waymo identify which of the topics in the Uber notice we thought might require separate testimony from Uber and Ottomotto. Those are: 3, 4, 5, 6, and 7. As noted in my email earlier today, we expect that Pierre will be a 30(b)(6) designee and so strongly encourage Defendants to serve their 30(b)(6) notice sufficiently in advance of his deposition.

Additionally, thanks for sharing the chart in your email below. It is very helpful. I added a column to the right with a notation regarding the location. There are a few for which I need to get back to you.

Witness	Deposition Date	Deposition Time	Deposition Location	Waymo Response Re Location
Drew Ulrich	Thursday, July 20, 2017	10:30 AM	MoFo SF	Confirmed
Bryan Salesky	Monday, July 24, 2017 and Tuesday, July 25, 2017	12:00 PM	Reed Smith Pittsburgh	Confirmed
Jennifer Haroon	Wednesday, July 26, 2017	9:00 AM	MoFo Palo Alto	San Francisco
Zachary Morris	Wednesday, July 26, 2017	9:00 AM	MoFo SF	Confirmed
Sam Lenius	Friday, July 28, 2017	9:00 AM	MoFo Palo Alto	Confirmed
John Krafcik	Wednesday, August 02, 2017	9:00 AM	MoFo Palo Alto	Confirmed
Pierre-Yves Droz	Thursday, August 03, 2017	9:00 AM	MoFo Palo Alto	Confirmed
Sebastian Thrun	Monday, August 07, 2017		MoFo SF	Confirmed

Dmitri Dolgov	Tuesday, August 08, 2017	9:00 AM	MoFo Palo Alto	Redwood Shores or Palo Alto
Chris Urmson	Wednesday, August 09, 2017		MoFo SF	Confirmed
Gerard Dwyer	Wednesday, August 09, 2017	9:00 AM	MoFo SF	Will get back to you
Bernard Fidric	Thursday, August 10, 2017	9:00 AM	MoFo SF	Will get back to you
Ben Ingram	Wednesday, August 16, 2017	9:00 AM	MoFo SF	Will get back to you
Luke Wachter	Friday, August 18, 2017	9:00 AM	MoFo SF	Confirmed
David Drummond	Monday, August 21, 2017	1:00 PM	Quinn Redwood Shores or WSGR Palo Alto	Confirmed
Dan McCloskey	Wednesday, August 23, 2017	9:00 AM	MoFo SF	Will get back to you
Dan Chu	Thursday, August 24, 2017	9:00 AM	MoFo SF	Will get back to you

Thanks,
Andrea

Andrea Pallios Roberts
Of Counsel,
 Quinn Emanuel Urquhart & Sullivan, LLP

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From: Chang, Esther Kim [<mailto:echang@mofo.com>]
Sent: Wednesday, July 19, 2017 10:12 PM
To: Andrea P Roberts <andreasroberts@quinnmanuel.com>; Edward Takashima <etakashima@BSFLP.com>; QE-Waymo <gewaymo@quinnmanuel.com>
Cc: UberWaymoMoFoAttorneys <UberWaymoMoFoAttorneys@mofo.com>;

BSF_EXTERNAL_UberWaymoLit <BSF_EXTERNAL_UberWaymoLit@BSFLP.com>; 'DG-GP Otto Trucking Waymo' <DG-GPOttoTruckingWaymo@goodwinlaw.com>; 'John Cooper (JCooper@fbm.com)' <JCooper@fbm.com>; 'Matthew Cate (MCate@fbm.com)' <MCate@fbm.com>

Subject: RE: Waymo: Deposition Scheduling

Andrea,

One correction to the table below. Per your request, the deposition of Sam Lenius will take place at Morrison & Foerster's Palo Alto office.

Esther

Tel: (415) 268-7562

From: Chang, Esther Kim

Sent: Wednesday, July 19, 2017 6:04 PM

To: 'Andrea P Roberts'; Edward Takashima; QE-Waymo

Cc: UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; 'DG-GP Otto Trucking Waymo'; 'John Cooper (JCooper@fbm.com)'; 'Matthew Cate (MCate@fbm.com)'

Subject: RE: Waymo: Deposition Scheduling

Andrea,

We are not prepared to exchange 30(b)(6) notices today, as Waymo did not respond to our request until today.

Below is our understanding of the locations for the confirmed depositions of Waymo witnesses. Please let us know if anything needs to change.

Witness	Deposition Date	Deposition Time	Deposition Location
Drew Ulrich	Thursday, July 20, 2017	10:30 AM	MoFo SF
Bryan Salesky	Monday, July 24, 2017 and Tuesday, July 25, 2017	12:00 PM	Reed Smith Pittsburgh
Jennifer Haroon	Wednesday, July 26, 2017	9:00 AM	MoFo Palo Alto
Zachary Morris	Wednesday, July 26, 2017	9:00 AM	MoFo SF
Sam Lenius	Friday, July 28, 2017	9:00 AM	MoFo SF
John Krafcik	Wednesday, August 02, 2017	9:00 AM	MoFo Palo Alto
Pierre-Yves Droz	Thursday, August 03, 2017	9:00 AM	MoFo Palo Alto
Sebastian Thrun	Monday, August 07, 2017		MoFo SF
Dmitri Dolgov	Tuesday, August 08, 2017	9:00 AM	MoFo Palo Alto

Chris Urmson	Wednesday, August 09, 2017		MoFo SF
Gerard Dwyer	Wednesday, August 09, 2017	9:00 AM	MoFo SF
Bernard Fidric	Thursday, August 10, 2017	9:00 AM	MoFo SF
Ben Ingram	Wednesday, August 16, 2017	9:00 AM	MoFo SF
Luke Wachter	Friday, August 18, 2017	9:00 AM	MoFo SF
David Drummond	Monday, August 21, 2017	1:00 PM	Quinn Redwood Shores or WSGR Palo Alto
Dan McCloskey	Wednesday, August 23, 2017	9:00 AM	MoFo SF
Dan Chu	Thursday, August 24, 2017	9:00 AM	MoFo SF

Esther
 Tel: (415) 268-7562

From: Andrea P Roberts [<mailto:andreaproberts@quinnmanuel.com>]
Sent: Wednesday, July 19, 2017 5:39 PM
To: Edward Takashima; Chang, Esther Kim; QE-Waymo
Cc: UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; 'DG-GP Otto Trucking Waymo'; 'John Cooper (JCooper@fbm.com'); 'Matthew Cate (Mcate@fbm.com)'
Subject: RE: Waymo: Deposition Scheduling

- External Email -

Ed and Esther,

Initially, during a meet and confer last week, Uber suggested that the parties agree on a date to serve 30(b)(6) notices and then meet and confer regarding any objections two days later. We are amenable to that and are prepared to serve our notices today and meet and confer about any objections on Friday. Please note that we expect that Pierre-Yves Droz will be our 30(b)(6) designee on technical topics and we only intend to make him available once. So, Defendants should serve their 30(b)(6) notice sufficiently in advance of his deposition so that we can resolve any disputes beforehand.

Additionally, below are updates on deposition scheduling issues:

- We would like to postpone Adam Bentley's deposition, currently scheduled for 7/25 because we don't anticipate getting the Stroz report and withheld documents sufficiently in advance of his deposition. Please provide alternative dates.
- Sam Lenius' deposition is scheduled for July 28. He'd prefer that his deposition be in Redwood Shores or Palo Alto.
- Jai Krishnan is available in August 9 in San Francisco
- We will accept:
 - Daniel Gruver on August 4
 - John Bares on August 11

We are continuing to work to confirm the other dates Uber has offered and will get back to you as quickly as possible.

- Additionally, the following witnesses who we previously offered dates for and are confirmed prefer a Redwood Shores/Mountain View/Palo Alto deposition location: John Krafcik, Pierre-Yves Droz, Dmitri Dolgov

Thanks,
Andrea

From: Edward Takashima [<mailto:etakashima@BSFLLP.com>]
Sent: Wednesday, July 19, 2017 3:56 PM
To: Chang, Esther Kim <echang@mofo.com>; Andrea P Roberts <andreaproberts@quinnmanuel.com>; QE-Waymo <gewaymo@quinnmanuel.com>
Cc: UberWaymoMoFoAttorneys <UberWaymoMoFoAttorneys@mofo.com>; BSF_EXTERNAL_UberWaymoLit <BSF_EXTERNAL_UberWaymoLit@BSFLLP.com>; 'DG-GP Otto Trucking Waymo' <DG-GPOttoTruckingWaymo@goodwinlaw.com>; 'John Cooper (JCooper@fbm.com)' <JCooper@fbm.com>; 'Matthew Cate (MCate@fbm.com)' <MCate@fbm.com>
Subject: RE: Waymo: Deposition Scheduling

Andrea,

- Soren Juelsgaard is available on August 9 in San Francisco.

Thanks,

Ed

Edward H. Takashima

Partner

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From: Chang, Esther Kim [<mailto:echang@mofo.com>]

Sent: Wednesday, July 19, 2017 12:54 PM

To: Andrea P Roberts; Edward Takashima; QE-Waymo

Cc: UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; 'DG-GP Otto Trucking Waymo'; 'John Cooper (JCooper@fbm.com)'; 'Matthew Cate (MCate@fbm.com)'

Subject: RE: Waymo: Deposition Scheduling

Andrea,

I write to offer additional dates for Uber witnesses. In addition, I include the locations of previously offered Uber witnesses. Please confirm these dates as soon as possible.

- Scott Boehmke (July 28, Pittsburgh)
- Daniel Gruver (August 4, SF)
- James Haslim (August 9, SF)
- Gaetan Pennecot (August 9, SF)
- Rudy Kim (August 24, SF)

In addition, please confirm whether Waymo will move forward with Mr. Burnette's deposition on August 18.

Esther
Tel: (415) 268-7562

From: Chang, Esther Kim
Sent: Wednesday, July 19, 2017 11:15 AM
To: Andrea P Roberts; 'Edward Takashima'; QE-Waymo
Cc: UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; 'DG-GP Otto Trucking Waymo'; 'John Cooper (JCooper@fbm.com)'; 'Matthew Cate (Mcate@fbm.com)'
Subject: RE: Waymo: Deposition Scheduling

As requested on the meet and confer, please also provide dates for the following Waymo witnesses:

- Jolie Sorge
- David Lawee

Esther
Tel: (415) 268-7562

From: Chang, Esther Kim
Sent: Wednesday, July 19, 2017 11:05 AM
To: Andrea P Roberts; 'Edward Takashima'; QE-Waymo
Cc: UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; 'DG-GP Otto Trucking Waymo'; 'John Cooper (JCooper@fbm.com)'; 'Matthew Cate (Mcate@fbm.com)'
Subject: RE: Waymo: Deposition Scheduling

Andrea,

As promised by Ed in his email yesterday, I write to offer additional dates for Uber's witnesses and confirm offered dates for Waymo's witnesses.

Waymo's Witnesses

With respect to Waymo's witnesses, we confirm the following dates:

- Dmitri Dolgov (August 8)
- Gerard Dwyer (August 9)
- Bernard Fidric (August 10)
- Ben Ingram (August 16)
- Luke Wachter (August 18)
- Dan McCloskey (August 23)

Please provide another date for Blaise Gassend after August 2. In addition, we request the deposition of Michael Epstein—please let us know if he is available for deposition on July 28 or July 31.

Uber's Witnesses

With respect to Uber's witnesses, we can offer the following dates:

- Scott Boehmke (July 28)
- Rudy Kim (August 24)

We expect to provide additional dates later today.

Esther

Tel: (415) 268-7562

From: Andrea P Roberts [<mailto:andreasroberts@quinnmanuel.com>]

Sent: Tuesday, July 18, 2017 7:20 PM

To: 'Edward Takashima'; QE-Waymo

Cc: UberWaymoMoFoAttorneys; BSF_EXTERNAL_UberWaymoLit; 'DG-GP Otto Trucking Waymo'; 'John Cooper (JCooper@fbm.com)'; 'Matthew Cate (MCate@fbm.com)'

Subject: RE: Waymo: Deposition Scheduling

- External Email -

John and Ed,

I write regarding outstanding deposition scheduling issues. We would like to meet and confer tomorrow about these issues.

First, we are still waiting on dates for 7 of the witnesses that we identified on June 28: Daniel Gruver, James Haslim, Soren Juelsgaard, Scott Boehmke, Rudy Kim, Bill Gurley, and Gaetan Pennecot. Please promptly provide them.

Second, Adam Bentley's deposition is currently scheduled for July 25. If the Federal Circuit does not issue a ruling such that we would receive the Stroz report by this Friday, July 21, then we will request a later date for that deposition. For now, we can keep it scheduled for July 25, but we wanted to give you a heads up on our thoughts.

Third, we can provide the following dates in response to your requests:

- Kristinn Gunjonsson: 7/28 in Redwood Shores/Palo Alto
- Gary Brown: 8/8 in New York City
- We are still confirming an alternative date for Mr. Krishnan.

We additionally can offer:

- Chelsea Bailey: 8/1 (location TBD)
- Meiling Tan: 8/4 (location TBD)

- Don Harrison: 8/17 (location TBD). He is not available on the date previously requested by Uber

Third, with respect to the dates Uber offered, we can accept:

- Eric Tate: rescheduling for 8/2
- Don Burnette: 8/18
- Cameron Poetzcher: 8/11
- Nina Qi: 8/10
- Jeff Holden: 8/15
- Colin Sebern: 8/15

We will get back to you regarding Don Burnette. Additionally, is John Bares available on 8/10, instead of 8/11?

Fourth, we've previously offered dates for Blaise Gassend (7/28), Dmitri Dolgov (8/8), Josh Fried (8/10), Bernard Fidric (8/10), Ben Ingram (8/16), Stacey Sullivan (8/17), Luke Wachter (8/18), and Dan McCloskey (8/23). Please let us know if you will proceed on those dates. With the exception of an alternative date for Jai Krishnan, we have provided dates for all of the witnesses Uber requested. If we've missed someone, please let us know.

Thanks,
Andrea

Andrea Pallios Roberts
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From: Edward Takashima [<mailto:etakashima@BSFLLP.com>]
Sent: Tuesday, July 18, 2017 12:16 PM
To: Andrea P Roberts <andreasroberts@quinnmanuel.com>; QE-Waymo <gewaymo@quinnmanuel.com>
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Subject: RE: Waymo: Deposition Scheduling

Andrea,

Can you let us know today if we can confirm the dates below, and whether Waymo can provide dates as requested for Mr. Gudjonsson and Mr. Krishnan? We plan to have further dates for you later today or tomorrow morning.

Thanks,

Ed

Edward H. Takashima

Partner

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From: Edward Takashima

Sent: Friday, July 14, 2017 9:05 PM

To: 'Andrea P Roberts'; 'QE-Waymo'

Cc: 'UberWaymoMoFoAttorneys'; BSF_EXTERNAL_UberWaymoLit; 'DG-GP Otto Trucking Waymo'; 'John Cooper (JCooper@fbm.com)'; 'Matthew Cate (MCate@fbm.com)'

Subject: Waymo: Deposition Scheduling

Andrea,

I write with more progress on deposition scheduling.

We understand from his counsel that Eric Friedberg is available for deposition on August 24. The location is TBD but will likely be New York or Chicago.

Uber witnesses are available as follows:

- John Bares: August 11 in Pittsburgh (as requested)
- Don Burnette: August 18 (as requested)
- Cameron Poetscher: August 11 (as requested)
- Nina Qi: August 10 (as requested)

In addition to the above, please let us know if we can confirm the following per our prior emails:

- Jeff Holden: August 15
- Eric Tate: August 2
- Colin Sebern: August 15

For Waymo's witnesses, we are of course willing to work with Waymo on scheduling around witnesses' conflicts, but there has to be some balancing between the witnesses' schedules and the needs of the case. As a result, for some depositions we are requesting alternate dates.

- Jai Krishnan (Waymo proposed July 20): We believe this date is too early because Mr. Krishnan's deposition will be significantly affected if Judge Corley grants Uber's MTC with respect to RFP 119. We request a later date for Mr. Krishnan, preferably on the week of July 24.
- Gerard Dwyer (Waymo proposed August 9): We confirm August 9.
- Scott Brown (Waymo proposed July 25): We ask to depose Mr. Brown after Mr. Gudjonsson. We can address this date after we have a date for Mr. Gudjonsson.
- Dan Chu (Waymo proposed August 24): We confirm August 24.

Edward H. Takashima

Partner

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